

#3 IDS
11/28/03

SUBSTITUTE FORM PTO-1449
(MODIFIED)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Application No. 10/085,011

Filing Date 2/28/2002

First Named Inventor Kollias et al.

Art Unit 3736

Examiner Name not assigned

Attorney Docket No. M0001-003002

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

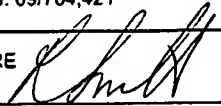
(37 CFR 1.98(b))

U.S. PATENT DOCUMENTS

Examiner Initials*	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	Number - Kind Codez (if known)		
114	US- 6,505,059 B1	01-07-2003	Kollias et al.
	US- 2002/0143243 A2	10-03-2002	Georgakoudi et al.
	US- 6,232,609	05-15-2001	Snyder et al.
	US- 6,175,752 A1	01-16-2001	Say et al.
	US- 6,172,743 B1	01-09-2001	Kley et al.
	US- 6,124,597 A	09-26-2000	Shehada et al.
	US- 6,078,828 A	06-20-2000	Yasuda et al.
	US- 6,049,727 A	04-11-2000	Crothall
	US - 5,857,462	01-12-1999	Thomas et al.
	US- 5,850,623	12-15-1998	Carman, Jr. et al.
	US- 5,712,101	01-27-1998	Bucala
	US- 5,459,677	10-17-1995	Kowalski et al.
	US - 4,721,677	01-26-1998	Clark, Jr.
	US - 5,596,992	01-28-1997	Haaland et al.
	US - 5,559,728	09-24-1996	Kowalski et al.
114	US - 4,866,644	09-12-1989	Shenk et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation
	Country Codes - Number - Kind Codes (if known)			
114	WO 99/51142	10-14-1999	General Hospital Corp. (Kollias et al.)	
114	WO 99/27848	06-10-1999	Abbott Lab (Oosta et al.)	
114	WO 97/48331	12-24-1997	Mitchell et al.	

	WO 93/17621	09-16-1993	Wong et al.	
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate) title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
14	ALAM, M. KATHLEEN et al. "Characterization of pH Variation in Lysed Blood by Near-Infrared Spectroscopy," Applied Spectroscopy, vol. 52, no. 3, pp. 393-399, 1998.			
14	ALAM, M. KATHLEEN et al. "Measurement of pH in Whole Blood by Near-Infrared Spectroscopy," Applied Spectroscopy, vol. 53, no. 3, pp. 316-323, 1998.			
14	DIFFEE, JOHN T., "Tobacco Analysis by NIR Spectroscopy," R.J. Reynolds Tobacco Company, Winston-Salem, North Carolina, 1992.			
14	MONNIER, V.M. et al. "Skin Collagen Glycation, Glucosidation, and Crosslinking Are Lower in Subjects with Long-Term Intensive Versus Conventional Therapy of Type I Diabetes," Diabetes 48, pp. 870-880, 1999.			
14	SCHWARTZ, Jon A. et al. "Diagnostic Potential of Laser-Induced Autofluorescence Emission in Brain Tissue," Journal of Korean Medical Science, vol. 12, no.2, April 1997, pp. 135-142.			
14	WANG et al., "Multivariate Instrument Standardization," Anal. Chem., vol. 63, pp.2750-2756, 1991.			
14	WANG et al. "Improvement of Multivariate Calibration through Instrument Standardization," Anal. Chem., vol. 64, pp.562-564, 1992.			
14	WANG et al. "Additive Background Correction in Multivariate Instrument Standardization," Anal. Chem., vol. 67, pp.2379-2385, 1995.			
	U.S. S.N. 09/855,755			
	U.S. S.N. 09/785,550			
	U.S. S.N. 09/785,549			
	U.S. S.N. 09/785,547			
	U.S. S.N. 09/785,531			
	U.S. S.N. 09/784,829			
	U.S. S.N. 09/704,421			
EXAMINER SIGNATURE 		DATE CONSIDERED 5/04		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.				

See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. * Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). * For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. * Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. * Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual if not in conformance and not considered. Include copy of this form with next communication to applicant.



RECEIVED

FEB 26 2003

TECHNOLOGY CENTER R3700

Sheet 1 of 3

SUBSTITUTE FORM PTO-1449
(MODIFIED)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Attorney Docket No.

M0001-003002

Serial No.

10/085,011

Applicant

Kollias et al.

Filing Date

February 28, 2002

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use several sheets if necessary)

(37 CFR §1.98(b))

U.S. PATENTS

Examiner's Initials	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date (If Appropriate)
114	*6,222,189 B1	Apr. 24, 2001	Misner et al.	250	341.1	
	*6,088,605	July 11, 2000	Griffith et al.	600	316	
	*6,064,065	May 16, 2000	Block et al.	250	341.3	
	*6,044,285	Nov. 12, 1998	Chaiken et al.	600	316	
	*6,032,070	Feb. 29, 2000	Flock et al.	600	473	
	*6,028,311	Feb. 22, 2000	Sodickson et al.	250	343	
	*6,016,435	Jan. 18, 2000	Maruo et al.	600	316	
	*6,002,953	Dec. 14, 1999	Block, Myron J.	600	316	
	*5,999,836	Dec. 7, 1999	Nelson et al.	600	407	
	*5,986,770	Nov. 16, 1999	Hein et al.	356	446	
	*5,921,926	July 13, 1999	Rolland et al.	600	407	
	*5,902,235	May 11, 1999	Lewis et al.	600	323	
	*5,879,294	Mar. 9, 1999	Anderson et al.	600	310	
	*5,865,829	Feb. 2, 1999	Kitajima, Nobuaki	606	3	
	*5,865,167	Feb. 2, 1999	Godik, Eduard E.	128	133	
	*5,853,370	Dec. 29, 1998	Chance et al.	600	473	
	*5,845,639	Dec. 8, 1998	Hochman et al.	128	653.1	
	*5,818,048	Oct. 6, 1998	Sodickson et al.	250	343	
	*5,818,044	Oct. 6, 1998	Sodickson et al.	250	339.06	
	*5,807,263	Sep. 15, 1998	Chance, Britton	600	476	
	*5,713,353	Feb. 3, 1998	Castano	128	633	
	*5,712,101	Jan. 27, 1998	Bucala	435	7.1	
	*5,676,143	Oct. 14, 1997	Simonsen et al.	128	633	
	*5,672,875	Sep. 30, 1997	Block et al.	250	343	
	*5,666,956	Sep. 16, 1997	Buchert	128	664	
	*5,657,754	Aug. 19, 1997	Rosencwaig	128	633	
	*5,601,079	Feb. 11, 1997	Wong et al.	128	633	
	*5,593,390	Jan. 14, 1997	Castellano et al.	604	187	
	*5,553,616	Sep. 10, 1996	Ham et al.	128	633	
114	*5,533,509	Jul. 9, 1996	Koashi et al.	128	633	



RECEIVED

FEB 26 2003

TECHNOLOGY CENTER R3700

Sheet 2 of 3

		*5,517,313	May 14, 1996	Colvin, Arthur E, Jr.	356	417	
		*5,515,847	May 14, 1996	Braig et al.	128	633	
		*5,507,288	Apr. 16, 1996	Böcker et al.	128	633	
		*5,497,772	Mar. 12, 1996	Shulman et al.	128	635	
		*5,492,118	Feb. 20, 1996	Gratton et al.	128	633	
		*5,460,177	Oct. 24, 1995	Purdy et al.	128	633	
		*5,452,716	Sep. 26, 1995	Clift	128	633	
		*5,379,764	Jan. 10, 1995	Barnes et al.	128	633	
		*5,377,676	Jan. 3, 1995	Vari et al.	128	634	
		*5,372,135	Dec. 13, 1994	Mendelson et al.	128	633	
		*5,370,114	Dec. 6, 1994	Wong et al.	128	633	
		*5,368,028	Nov. 29, 1994	Palti	128	635	
		*5,342,789	Aug. 30, 1994	Chick et al.	436	501	
		*5,341,805	Aug. 30, 1994	Stavridi et al.	128	633	
		*5,318,023	Jun. 7, 1994	Vari et al.	128	633	
		*5,313,941	May 24, 1994	Braig et al.	128	633	
		*5,291,887	Mar. 8, 1994	Stanley et al.	128	637	
		*5,209,231	May 11, 1993	Cote et al.	128	633	
		*5,202,424	Apr. 13, 1993	Vlassara et al.	530	395	
		*5,190,041	Mar. 2, 1993	Palti	128	635	
		*5,140,989	Aug. 25, 1992	Lewis et al.	125	665	
		*5,115,137	May 19, 1992	Andersson-Engels et al.	250	461.2	
		*5,101,814	Apr. 7, 1992	Palti	128	635	
		*5,070,874	Dec. 10, 1991	Barnes et al.	128	633	
		*5,009,230	Apr. 23, 1991	Hutchinson	128	633	
		*5,001,054	Mar. 19, 1991	Wagner	435	14	
		*4,979,509	Dec. 25, 1990	Hakky	128	635	
		*4,721,677	Jan. 26, 1988	Clark, Jr.	435	291	
		*4,655,225	Apr. 7, 1987	Dähne et al.	128	633	
		*4,515,165	May 7, 1985	Carroll	128	664	
		*4,206,755	Jun. 10, 1980	Klein	128	214	
114		*3,837,339	Sep. 24, 1974	Aisenberg et al.	128	213	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

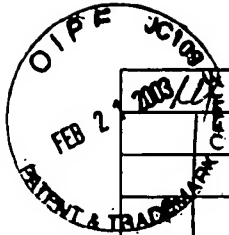
Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation (Yes/No)
114	*EP 0 783 867 A1	Jul. 16, 1997	Europe	A01B 5	103	

RECEIVED

FEB 26 2003

TECHNOLOGY CENTER R3700

Sheet 3 of 3



	*EP 0 663 591 A1	Jul. 19, 1995	Europe	G01N 21	47	
	*EP 0 623 307 A1	Nov. 9, 1994	Europe	A61B 5	00	
	*EP 0 063 431 A1	Oct. 27, 1982	Europe	G01N 21	81	
	*GB 2 300 045 A	Oct. 23, 1996	United Kingdom	A61B 5	00	
	*WO 99/27848 A1	Jun. 10, 1999	WIPO	A61B 5	00	
	*WO 97/48331 A1	Dec. 24, 1997	WIPO	A61B 5	00	
	*WO 96/07889 A1	Mar. 14, 1996	WIPO	G01N 21	64	
	*WO 95/06431 A2	Mar. 9, 1995	WIPO	A61B 5	00	
	*WO 94/10901 A1	May 26, 1994	WIPO	A61B 5	00	
	*WO 93/17621 A1	Sep. 16, 1993	WIPO	A61B 5	14	
<i>111</i>	*WO 92/15008 A1	Sep. 3, 1992	WIPO	G01N 21	63	

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)

<i>111</i>	*Bruulsema et al., "Correlation Between Blood Glucose Concentration in Diabetics and Noninvasively Measured Tissue Optical Scattering Coefficient," Optics Letters, Vol. 22, No. 3, Feb. 1, 1997
	*Klonoff, "Noninvasive Blood Glucose Monitoring," Diabetes Care, Vol. 20, No. 3, Mar. 1997
	*Kohl et al., "Influence of Glucose Concentration on Light Scattering in Tissue-Simulating Phantoms," Optics Letters, Vol. 19, No. 24, Dec. 15, 1994
	*Kollias et al., "Endogenous Skin Fluorescence Includes Bands that may Serve as Quantitative Markers of Aging and Photoaging," Journal of Investigative Dermatology, Vol. 111, No. 5, Nov. 1998.
	*Maier et al., "Possible Correlation Between Blood Glucose Concentration and the Reduced Scattering Coefficient of Tissues in the Near Infrared," Optics Letters, Vol. 19, No. 24, Dec. 15, 1994
	*Newsedge Corporation, "Cygnus Completes Pre-Market Application for the GlucoWatch® Monitor", June 3, 1999.
	*Qu and Wilson, "Monte Carlo Modeling Studies of the Effect of Physiological Factors and Other Analytes on the Determination of Glucose Concentration <i>In Vivo</i> by Near Infrared Optical Absorption and Scattering Measurements," Journal of Biomedical Optics, Vol. 2, No. 3, July 1997
	*Rolinski et al., "Near Infra-red Assay for Glucose Determination," International Society for Optical Engineering, Technical Abstract Digest from the International Symposium on Biomedical Optics, San Jose, CA, January 23, 1999.
	*Sannes, "The Outlook for Noninvasive and Minimally Invasive Glucose Testing," Decision Resources, Inc., November 1998
	*Schwartz, Jon A et al., "Diagnostic Potential of Laser-Induced Autofluorescence Emission in Brain Tissue," Journal of Korean Medical Science, vol. 12, no. 2, April 1997.
<i>111</i>	*Wynant and Chenault, "Special Issue on Non-Invasive Glucose Monitoring with Optical Techniques," Leos Newsletter, April 1998

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.

* A copy of this reference is not provided as it was previously cited by or submitted to the Office in one or more prior applications, including Serial No. 09/287,486, filed April 6, 1999, relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).